

ALKISTIS G. MEIMARIS, ESQ.

240 Fifth Avenue
New York, New York 10001
201.615.3220
Alkistism@aol.com

May 20, 2019

Hon. George Daniels
Hon. Barbara Moses
U.S. District Court
Southern District of New York
500 Pearl Street, Room 1310
New York, NY 10007

RE: Response to Defendants' Request to Adjourn the Initial Pre-Trial Conference in Estate of Meimaris et. al. v. Joseph E. Royce et. al. 1:18-cv-4363

Dear Judge Daniels:

I am counsel for Plaintiffs and I am writing to respectfully request the Court either deny Defendants' request to adjourn the pre-trial conference scheduled for May 22, 2019 or in the alternative, grant Plaintiffs leave for oral argument.

This pre-trial conference has already been adjourned four times. Originally, the pre-trial conference was scheduled for August 1, 2018, October 2, 2018, January 9, 2019 and then again for March 20, 2019 respectively. [ECF No's. 20, 57, 78, 107] Each time, Defendants requested adjournment. At all times, Defendants' requests were granted.

Contrary to Defendants' contentions, there are no statute of limitations issues. Defendants' contentions are without legal basis as clearly set forth in Plaintiffs' ECF submissions No's. 25, 62, 79, 81 and 83. Further, there are no substantive issues or other issues which cannot be cured by Amendment of the Complaint. Defendants' contentions are legally and factually inaccurate. Finally, Discovery should not be stayed and should commence as there is truly no expense or burden on Defendants to produce documents which are readily available to them. Likewise, there is no expenses or burden on Defendants to answer interrogatories or to be deposed.

Plaintiffs believe that the pre-trial conference should be conducted in order to move the case along, and prepare everyone for the next juncture in this matter. Defendants have had more

than ample adjournments in this case, to do so again, would be unfair to the Plaintiffs. However, Plaintiffs are amenable to an adjournment if an oral argument is scheduled.

For the foregoing reasons, Plaintiffs respectfully request the Court to either deny Defendants' request to adjourn the meeting with Judge Daniels on May 22, 2019 or if in fact the pre-trial conference is adjourned, grant Plaintiffs leave for oral argument.

Respectfully Submitted,

/s/ Alkistis Meimaris

Alkistis G. Meimaris, Esq.

CC: Counsel of Record via ECF